

**MINUTES OF THE REGULAR MEETING OF THE COUNCIL OF THE CITY OF
TULSA, OKLAHOMA,**

scheduled for Wednesday, April 12, 2023, at 5:00 P.M in the City Council Chamber, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK, to transact all business as set out in Notice and Agenda posted in the Office of City Clerk, Room 260, One Technology Center, 175 E. 2nd St., Second Floor, Tulsa, OK on Monday, April 10, 2023, at 1:29 P.M.

CALL TO ORDER

Chair Patrick called the meeting to order at 5:17 P.M.

ROLL CALL:

| | | | |
|-------------|----------|---------------|---------|
| Hall-Harper | Present | Bengel | Present |
| Cue | Present | Decter Wright | Present |
| Patrick | Present | Lakin | Present |
| Bellis | Present | Fowler | Present |
| Miller | Present | | |
| | Present: | 9 | |
| | Absent: | 0 | |

STAFF PRESENT

Jack Blair, City Attorney
Lori Doring, Secretary to the Council
Casey Clark, Council Staff

1. RECEIPT & FILING OF MINUTES

- a. Minutes of Regular Meeting held at 4:00 PM on March 22, 2023. [CC 4/12/23] 23-259-1
- b. Minutes of Regular Meeting held at 5:00 PM on March 22, 2023. [CC 4/12/23] 23-259-2

Councilor Lakin moved to approve 1.a – 1.b. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|---------|---------------|----------------|
| Hall-Harper | Yea | Bengel | Yea |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Yea |
| Bellis | Yea | Fowler | Yea |
| Miller | Yea | | |
| Yeas: 9 | Nays: 0 | Absent: 0 | Abstentions: 0 |

Motion carried.

2. APPOINTMENTS & REAPPOINTMENTS

- a. Whitney Stauffer – Appointment to the Board of Adjustment replacing Steve Brown; term expires May 10, 2026. (CD-4) [PW 3/29/23; CC 4/12/23] 23-186-1
- b. Machele Miller Dill – Reappointment to the Arts Commission of the City of Tulsa; term expires December 5, 2025. (Attended 10/12 meetings.) (CD-4) [UED 3/29/23; CC 4/12/23] 23-159-2

- c.

Anna Childers – Reappointment to the Stormwater Drainage Hazard Mitigation Advisory Board; term expires February 28, 2028. (Attended 17/21 meetings.) (CD-9) [UED 3/29/23; CC 4/12/23] 23-184-1
- d.

Cheryl Cohenour – Reappointment to the Greater Tulsa Area Indian Affairs Commission; term expires January 15, 2026. (Attended 9/9 meetings.) (CD-4) [UED 3/8/23; CC 3/22/23; CC 4/12/23] 23-162-2

Public Comments:
Aaron Griffith – 2.c.
John Huffines – 2.a – 2.d.

Councilor Lakin moved to approve 2.a – 2.d. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|-----|---------------|---------|
| Hall-Harper | Yea | Bengel | Yea |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Yea |
| Bellis | Yea | Fowler | Abstain |
| Miller | Yea | | |

Yeas: 8 Nays: 0 Absent: 0 Abstentions: 1

Motion carried.

3. PUBLIC HEARINGS

- a.

No items this week.

4. MAYOR’S ITEMS

- a.

Mayor's report on community events, briefing on City activities, City efforts, and new business.

There was no report.

- b.

Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 135430 between the City of Tulsa and Becco Contractors, Inc., for Project No. 148170, TMUA-W 19-10, ES 2019-11 in the amount of three hundred one thousand, five hundred twenty-five dollars and fifty-three cents (\$301,525.53) and adding two hundred eighty-seven (287) calendar days due to utility conflicts, waterline relocations, and weather delays within River West between Jackson St. and 23rd St. to Southwest Blvd. (CD-2) [PW 3/29/23; CC 4/12/23] 23-199-2
- c.

Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 1 to Contract No. 137292 between the City of Tulsa and Crossland Heavy Contractors, Inc., for Project No. 144431, TMUA-W 15-10 in the amount of one hundred six thousand, eighty-five dollars and ninety-seven cents (\$106,085.97) due to the omission of 6" Ductile Iron Pipe to complete installation of waterline material at E. 26th St. S. to E. 31st St. S, S. Harvard Ave. to S. Yale Ave. (CD-4,9) [PW 3/29/23; CC 4/12/23] 23-200-2
- d.

Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and Tyler Gooch, for property located at 4971 S. Detroit Ave., for a colored concrete driveway approach. (CD-9) [PW 3/29/23; CC 4/12/23] 23-210-2
- e.

Consideration and possible approval, adoption, denial, amendment or revision of a License Agreement between the City of Tulsa and S. Peoria, LLC for property

located at 3647 S. Peoria Ave., for three (3) planters to be placed in the right-of-way. (CD-9) [PW 3/29/23; CC 4/12/23] 23-211-2

- f. Consideration and possible approval, adoption, denial, amendment or revision of a Sidewalk Easement Donation by Medwise, LLC of property located at 8105 E. 68th St., Parcel 443, Woodland Hills Mall Addition, for the Medwise Urgent Care Project. (CD-7) [CC 4/12/23] 23-201-1
- g. Consideration and possible approval, adoption, denial, amendment or revision of a Temporary Access and Temporary Emergency Access Easement Donation by Rausch Coleman Homes of Tulsa, LLC of property located at 3739 S. 155th E. Ave., Parcel H-7, Unplatted, for The Crossing at Battle Creek VI Project. (CD-6) [CC 4/12/23] 23-229-1
- h. Consideration and possible approval, adoption, denial, amendment or revision of a travel donation from the Southwest Section of American Water Works Association (SWAWWA) in the amount of six hundred eighty-seven dollars and forty cents (\$687.40) for Eric Lee to travel to Lafayette, LA on April 14-15, 2023, to attend the Southwest Section of American Water Works Association (SWAWWA) Mid-Year Board Meeting. [CC 4/12/23] 23-236-1
- i. Consideration and possible approval, adoption, denial, amendment or revision of a Donation (transfer) from Oklahoma State Bureau of Investigation, Firearms Section, to the Tulsa Police Department Forensic Laboratory, of a surplus comparison microscope, valued at five thousand dollars (\$5,000.00). [CC 4/12/23] 23-237-1
- j. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: A Celtic Rising 2023, Benefiting Tulsa VFW Post 57 scheduled for April 15, 2023, at 600 S. Owasso Ave. (CD-1,4) [CC 4/12/23] 23-221-1
- k. Consideration and possible approval, adoption, denial, amendment or revision of a Special Event Application: Wine & Swine 2023 scheduled for April 19, 2023, at 200 N. Main St. (CD-1) [CC 4/12/23] 23-222-1

Public Comments:
John Huffines – 4.c, 4.e, 4.i.
Joshua Starks – 4.j.
Kathy McDonald – 4.i.

Councilor Lakin moved to approve 4.b – 4.k. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|-----|---------------|-----|
| Hall-Harper | Yea | Bengel | Yea |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Yea |
| Bellis | Yea | Fowler | Yea |
| Miller | Yea | | |

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

5. AUTHORITIES, BOARDS & COMMISSIONS

- a. Monthly Status Report from the Sales Tax Overview Committee on current activities and efforts. [CC 4/12/23] 23-67-3

Kathy Sebert presented the report.

Public Comments:
John Huffines – 5.a.
Kathy McDonald – 5.a.

- b. Consideration and possible approval, adoption, denial, amendment, or revision of a Final Plat for Addison Creek Crossing Addition, consisting of Forty-Eight (48) Lots, Three (3) Blocks, on 20.01 acres located south of the SE/c of E. 121st St. S. and S. Hudson Ave. (TMAPC staff administratively **APPROVED** the final plat on behalf of TMAPC.) (CD-8) [CC 4/12/23] 23-230-1
- c. Consideration and possible approval, adoption, denial, amendment, or revision of a Final Plat for The Estates at Tulsa Hills Addition, consisting of Thirty-Nine (39) Lots, Three (3) Blocks, on 40.42 acres located south of the SE/c of W. 81st St. S. and S. Maybelle Ave. (TMAPC staff administratively **APPROVED** the final plat on behalf of TMAPC.) (CD-2) [CC 4/12/23] 23-223-1

Councilor Lakin moved to approve 5.b – 5.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|---------|---------------|----------------|
| Hall-Harper | Yea | Bengel | Yea |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Yea |
| Bellis | Yea | Fowler | Yea |
| Miller | Yea | | |
| Yeas: 9 | Nays: 0 | Absent: 0 | Abstentions: 0 |

Motion carried.

6. ORDINANCES - FIRST READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of Ordinance amending and updating Title 51, Tulsa Revised Ordinances, "Residential Code", amending Chapter 2, "I.C.C. International Residential Code, 2018 Edition, adopted", adding Appendix "Q", titled "Tiny Houses", setting forth the specifications for Tiny Houses, repealing all ordinances or parts of ordinances in conflict. **(Emergency Clause)** [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-224-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of sixty thousand dollars (\$60,000.00) from unassigned fund balance within the Pandemic Relief Recovery Fund. (Mayor's Office Language Access Program) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-228-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of forty thousand, four hundred eighty-one dollars and fifty-nine cents (\$40,481.59) from grant revenues to be received from the Indian Nations Council of Governments (INCOG) within the Enhanced Mobility of Seniors and Individuals with Disabilities SubFund and to transfer unencumbered and unexpended appropriation balances of forty thousand, four hundred eighty-one dollars and fifty-nine cents (\$40,481.59) between Departments and Accounts within the General Fund. (Enhanced Mobility Grant) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-231-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of seventy thousand dollars (\$70,000.00) from grant revenues to be received from the Cities for Financial Empowerment Fund within the Non-Grant

Miscellaneous Special Revenue Fund. (Financial Empowerment Center) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-232-2

- e. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of one hundred sixty-two thousand, six hundred twenty-five dollars (\$162,625.00) within the Stormwater Enterprise Fund. (Principal Payment of FY23 Stormwater Revenue Bonds) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-233-2
- f. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of five million, six hundred fifty-one thousand, five hundred dollars (\$5,651,500.00) from grant revenues received from the United States Treasury American Rescue Plan Act SubFund. (Flat Rock Creek, Animal Welfare Shelter, Golf Course Infrastructure, Save Our Homes Initiative, Seeding Savings Financial Counseling, Credential Evaluation Program, and Citizen Application Program) [UED 4/12/23; CC 4/12/23; CC 4/19/23] 23-234-2
- g. Consideration and possible approval, adoption, denial, amendment or revision of Change Order No. 3 to Contract No. 135817 between the City of Tulsa and Becco Contractors, Inc., for Project No. 144102, in the amount of zero dollars (\$0.00) and adding three hundred (300) calendar days due to retaining wall design changes during construction, extensive utility conflicts encountered during construction, and refusal by certain utility owners for months to communicate or cooperate with effort to resolve, further exacerbating construction delays on E. 81st St. S. from Sheridan Rd. to Memorial Dr. (CD-8) [PW 4/12/23; CC 4/19/23] 23-235-2
- h. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Public Way, requested by Jacob Purdum, Eller & Detrich, for property located at 2250 N. Main St., Lots One and Thirteen (1,13), Blocks Three and Two (3,2), Oak Cliff Addition, to allow for a garage addition. (CD-1) [PW 4/12/23; CC 4/12/23; CC 4/19/23] 23-238-2
- i. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a platted Utility Easement, requested by Alan Betchan, AAB Engineering, LLC, for property located at 4926 E. Admiral Pl., Lot Two (2), Block One (1), Quik Trip No. 0007, for future development. (CD-3) [PW 4/12/23; CC 4/12/23; CC 4/19/23] 23-239-2

Without objection, items 6.a – 6.i were forwarded to the next Council meeting.

7. ORDINANCES - SECOND READING

- a. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of one million dollars (\$1,000,000.00) from unappropriated fund balance within the Tourism Improvement District 1 Fund. (Managed Entities - Economic Development Department) [UED 3/29/23; CC 3/29/23; CC 4/12/23] 23-213-2
- b. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance amending the fiscal year 2022-2023 budget to make supplemental appropriations of three hundred thousand dollars (\$300,000.00) from unappropriated fund balance within the General Fund. (Quality Events) [UED 3/29/23; CC 3/29/23; CC 4/12/23] 23-214-2
- c. Consideration and possible approval, adoption, denial, amendment or revision of an Ordinance closing a portion of a Utility Easement, requested by Perry Fields, for property located at 7847 S. Houston Ct., Lot Thirty-Three (33), Block Three

(3), Stonebrooke Estates, to clear a title. (CD-2) [PW 3/29/23; CC 3/29/23; CC 4/12/23] 23-212-2

Public Comments:
Aaron Griffith – 7.a.

Councilor Lakin moved to approve 7.a – 7.c. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|-----|---------------|-----|
| Hall-Harper | Yea | Bengel | Yea |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Yea |
| Bellis | Yea | Fowler | Yea |
| Miller | Yea | | |

Yeas: 9 Nays: 0 Absent: 0 Abstentions: 0

Motion carried.

8. COUNCIL ITEMS

- a. Councilors’ announcements and reports on current community events, activities, efforts, and concerns. Other than announcements and reports, no discussion will ensue.

Councilor Cue announced that there would be a Westside business meeting on Thursday, April 13, 2023. Councilor Hall-Harper invited everyone to the upcoming Beyond Apology meetings. Councilor Bellis reminded everyone about the upcoming Improve Our Tulsa town hall meetings.

Councilor Hall-Harper, Councilor Bengel, and Councilor Fowler recused at 6:12 P.M.

- b. Consideration and possible approval, adoption, denial, amendment or revision of a travel authorization, per Council Rules & Order of Business, in the amount of two thousand, two hundred ninety-eight dollars (\$2,298.00) for Councilor Hall-Harper to travel to Washington, D.C. on May 10-11, 2023, to attend the Tulsa Regional Chamber OneVoice D.C. Fly-In Conference. [UED 4/12/23; CC 4/12/23] 23-247-2
- c. **PULLED:** Consideration and possible approval, adoption, denial, amendment or revision of a travel authorization, per Council Rules & Order of Business, in the amount of two thousand, two hundred ninety-eight dollars (\$2,298.00) for Councilor Cue to travel to Washington, D.C. on May 10-11, 2023, to attend the Tulsa Regional Chamber OneVoice D.C. Fly-In Conference. [UED 4/12/23; CC 4/12/23] 23-248-2
- d. Consideration and possible approval, adoption, denial, amendment or revision of a travel authorization, per Council Rules & Order of Business, in the amount of two thousand, two hundred ninety-eight dollars (\$2,298.00) for Councilor Bengel to travel to Washington, D.C. on May 10-11, 2023, to attend the Tulsa Regional Chamber OneVoice D.C. Fly-In Conference. [UED 4/12/23; CC 4/12/23] 23-249-2
- e. Consideration and possible approval, adoption, denial, amendment or revision of a travel authorization, per Council Rules & Order of Business, in the amount of two thousand, two hundred ninety-eight dollars (\$2,298.00) for Councilor Fowler to travel to Washington, D.C. on May 10-11, 2023, to attend the Tulsa Regional Chamber OneVoice D.C. Fly-In Conference. [UED 4/12/23; CC 4/12/23] 23-250-2

Public Comments:
John Huffines – 8.b.
James Alexander, Jr. – 8.b.

Councilor Lakin moved to approve 8.b, 8.d, and 8.e. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|--------|---------------|--------|
| Hall-Harper | Absent | Bengel | Absent |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Yea |
| Bellis | Yea | Fowler | Absent |
| Miller | Yea | | |

Yeas: 6 Nays: 0 Absent: 3 Abstentions: 0

Motion carried.

Councilor Hall-Harper, Councilor Bengel, and Councilor Fowler returned at 6:18 P.M.

Councilor Lakin left the meeting at 6:18 P.M.

9. NEW BUSINESS

- a. No items this week.

10. HEARING OF APPEALS

- a. Hearing and possible action upholding or denying an appeal to the City Council requested by Amanda Lashone Taylor and Rafe Taylor Sr., contesting the decision of the Nuisance Abatement Hearing Officer in Working in Neighborhoods (WIN) Case No. NIDEM 066764-2022, finding that the structure located at 2801 North Martin Luther King Jr. Boulevard, Tulsa, Oklahoma is a public nuisance and ordering its abatement or demolition. The City Council may reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made. [CC 3/1/23; CC 4/12/23] 23-148-2

Kevin Cox from the Working in Neighborhoods Department addressed the Council.

The appellant, Amanda Lashone Taylor, addressed the Council.

There was Council discussion.

Councilor Hall-Harper moved to deny the appeal in Working in Neighborhoods (WIN) Case No. NIDEM 066764-2022 with a modification to the Administrative Hearing Officer’s Order of Abatement so that it shall only apply to the detached garage located at 2801 North Martin Luther King Jr. Boulevard, Tulsa, Oklahoma. Councilor Decter Wright seconded the motion.

ROLL CALL:

| | | | |
|-------------|-----|---------------|--------|
| Hall-Harper | Yea | Bengel | Yea |
| Cue | Yea | Decter Wright | Yea |
| Patrick | Yea | Lakin | Absent |
| Bellis | Yea | Fowler | Yea |
| Miller | Yea | | |

Yeas: 8 Nays: 0 Absent: 1 Abstentions: 0

Motion carried and the appeal was denied.

Councilor Miller left the meeting at 6:27 P.M. and returned at 6:29 P.M.

11. HEARING OF PUBLIC COMMENTS

- a. Aaron Griffith – Concerns regarding 311 cases. [CC 4/12/23] 23-261-1

 Aaron Griffith addressed the Council.

- b. August Wakat – Annexation procedures followed and documents used regarding the annexation of the township of Fair Oaks Incorporated into the City of Tulsa and the area plan approved for the Fair Oaks Industrial Park, including funding from the American Rescue Plan Act (ARPA). [CC 4/12/23] 23-260-1

 August Wakat addressed the Council.

- c. Robert Burger – Proposed opening of a South Tulsa Homeless Shelter at 61st St. and Peoria Ave. [CC 4/12/23] 23-262-1

 Robert Burger addressed the Council.

12. ADJOURNMENT

- a. Adjournment.

Chair Patrick adjourned the meeting at 6:45 P.M.

Crista Patrick, Chair of the Council

Lori Doring, Secretary to the Council